**Guiding Principles for State Licensure**

NSGC’s guiding principles for state licensure are intended to provide national guidance to genetic counselors involved in attaining licensure in their respective states. NSGC, when requested, will formally support efforts in states that pursue legislation aligned with the following principles. NSGC reserves the right to withdraw support at any time. The principles encompass the critical elements of a state licensing bill. NSGC’s goal in developing this language is to ensure uniformity among the nation’s genetic counselors so that laws regulating the practice of genetic counseling are widely applied. Uniformity will provide greater flexibility between states in how genetic counselors practice, and, most importantly, ensure the highest degree of public protection. Although the actual structure of legislative language varies considerably between states, the results should be uniform.

1. Due Diligence

The first step in drafting legislation is to assess the support for genetic counselor licensing.

A.  Internal – Poll the genetic counselors in the state about support.

B. External – Gage support of other stakeholders, particularly clinical and medical geneticists, other physicians, the state medical society, payers, hospital systems/administrators, and other allied health professionals. Demonstrate support from consumers and patient advocates.

C. Legislative – Enlist a legislative sponsor that will champion the cause and spend political capital to drive legislation; gain support from other legislators. **Understand that the sponsor works for you!**

D. State officials – Seek support from the Governor’s office and health administrators.

E. Consider utilizing a lobbyist familiar with the states licensing legislative process.

2. Definitions

Define general terms such as: ABGC, ABMG, NSGC, Genetic Counselor, CEU, Department, Licensing Board, Medical Board, Practice of Genetic Counseling, Temporary License Supervision (General Supervision), Genetic Counselor Intern (Direct supervision or Incident to), etc.

3. Qualifications

Qualifications for a license should include:

A. ABGC/ABMG certification in genetic counseling (or as a PhD medical geneticist) to obtain full license.

B. ABGC Active Candidate Status (ACS) (or ABMG board-eligible) to obtain temporary license practicing with supervision.

4. Continuing Education

Required in order to renew license and should follow NSGC/ABGC/ABMG guidelines for Recertification. A hardship clause should also be written.

5. Title Protection

Allows only individuals who qualify for a genetic counselor license to use the title "licensed genetic counselor," "genetic counselor," or other insignia/designation that would imply that the individual is licensed as a genetic counselor.

6. Certain Exemptions

A. For other licensed healthcare providers with overlapping Scope of Practice

B. Reciprocity for "visiting" genetic counselors licensed in other states

C. Certain federal and state government employees.

D. Students enrolled in ABGC accredited educational programs; students must have direct supervision by a licensed genetic counselor or licensed physician

E. Certain consultants

7. Scope of Practice

The SOP defines services that can be provided by a licensee.

A. May be deferred to the definition of "practice of genetic counseling," defined specifically in bill language, or left to the rulemaking process.

8. Licensure Authority

Establishes an entity to administer the licensing process and is given the authority to develop rules that govern the practice of the profession as well as a process for disciplinary action and other miscellaneous procedures/actions. Provisions may give authority to a regulator or Board through rulemaking or be explicitly written into the bill itself. The following should be considered when deciding how the license should be administered:

A. Defer rule making to a Licensing Board only if the majority of Board members are genetic counselors.

B. Define provisions explicitly in the bill if administration will be by a medical board.

C. If administration will be by a department, whether it is the Health or Consumer Affairs regulatory agency, define provisions or allow flexibility for rule making if counselors will be involved.

9. Reciprocity

For new residents who possess a substantially similar license from another state.

10. Grandparent Clause

This is an option to be written when there are individuals in the state who graduated before ABGC certification was available, and no longer qualify for ACS. Counselors licensed under this provision will need to complete CEUs.